

**Cuyahoga County Court of Common Pleas
Criminal Court Division**

<p style="text-align: center;">State of Ohio, Plaintiff VS. Emily McNeeley Kenneth V. Mills, Douglas M. Dykes Defendants</p>	<p style="text-align: center;">A True Bill Indictment For Telecommunications Fraud - F1 §2913.05(A) 28 Additional Count(s)</p>	
Dates of Offense (on or about) 03/16/2016 to 07/27/2018	The Term Of October of 2018	Case Number 636461-19-CR

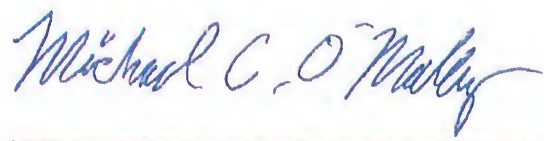
The State of Ohio, }
Cuyahoga County } ss.

Count 1	Telecommunications Fraud - F1 §2913.05(A)
Defendants	Emily McNeeley
Date of Offense	On or about September 19, 2016
<p><i>The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County aforesaid, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OHIO, do find and present, that the above named Defendant(s), on or about the date of the offense set forth above, in the County of Cuyahoga, unlawfully</i></p> <p>having devised a scheme to defraud, did knowingly disseminate, transmit, or caused to disseminated or transmitted by means of wire, radio, satellite, telecommunication, telecommunications device, or telecommunication services any writing, data, sign, signal, picture, sound, image with purpose to execute or otherwise further the scheme to defraud.</p> <p>FURTHERMORE, and the value of the benefit obtained by the offender or of the detriment to the victim of the fraud is one million dollars or more.</p> <p><i>The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.</i></p>	





Foreperson of the Grand Jury



Prosecuting Attorney

Count 2 **Tampering with Records - F3**
 §2913.42(A)(1)
Defendants Emily McNeeley
Date of Offense On or about September 19, 2016

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did, knowing she had no privilege to do so, and with purpose to defraud or knowing she was facilitating a fraud on Cuyahoga County, falsify, destroy, remove, conceal, alter, deface, or mutilate any writing, computer software, data, or record, to wit: September 19, 2016 Cuyahoga County Budget and Finance Committee Hearing Recording, and the writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Count 3 **Falsification - M1**
 §2921.13(A)(1)
Defendants Emily McNeeley
Date of Offense On or about September 19, 2016

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did knowingly make a false statement, or knowingly swear or affirm the truth of a false statement previously made, when the statement was made in any official proceeding.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

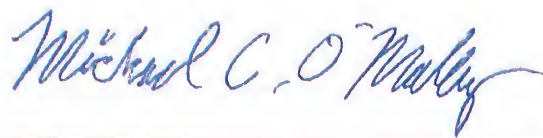
Count 4 **Falsification - M1**
 §2921.13(A)(3)
Defendants Emily McNeeley
Date of Offense On or about September 19, 2016

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did knowingly make a false statement, or knowingly swear or affirm the truth of a false statement previously made, when the statement was made with purpose to mislead a public official in performing the public official's official function.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.


Foreperson of the Grand Jury


Prosecuting Attorney

Count 5 Having An Unlawful Interest In A Public Contract - F4
§2921.42(A)(1)

Defendants Emily McNeeley

Date of Offense On or about March 16, 2016 to February 22, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did while being a public official knowingly authorize or employ the authority or influence of her office to secure authorization of any public contract in which she, a member of her family, or any of her business associates had an interest.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Count 6 Having An Unlawful Interest In A Public Contract - M1
§2921.42(A)(4)

Defendants Emily McNeeley

Date of Offense On or about March 16, 2016 to February 22, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did while being a public official knowingly have an interest in the profits or benefits of a public contract entered into by or for the use of the political subdivision or governmental agency or instrumentality with which she was connected.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Count 7 Public official or employee's unlawful influence - M1
§0102.03(D)

Defendants Emily McNeeley

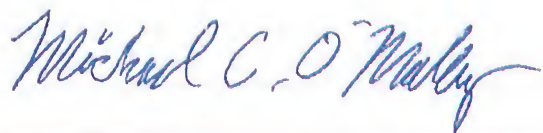
Date of Offense On or about March 16, 2016 to February 22, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

, a public official or employee, did recklessly use or authorize the use of the authority or influence of office or employment to secure something of value or the promise or offer of something of value that is of such a character as to manifest a substantial and improper influence upon a public official or employee with respect to that person's duties..

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.


Foreperson of the Grand Jury


Prosecuting Attorney

Count 8 **Having An Unlawful Interest In A Public Contract - F4**
 §2921.42(A)(1)
Defendants Emily McNeeley
Date of Offense On or about March 16, 2016 to February 22, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did while being a public official knowingly authorize or employ the authority or influence of her office to secure authorization of any public contract in which she, a member of her family, or any of her business associates had an interest.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Count 9 **Having An Unlawful Interest In A Public Contract - M1**
 §2921.42(A)(4)
Defendants Emily McNeeley
Date of Offense On or about March 16, 2016 to February 22, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did while being a public official knowingly have an interest in the profits or benefits of a public contract entered into by or for the use of the political subdivision or governmental agency or instrumentality with which she was connected.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Count 10 **Public official or employee's unlawful influence - M1**
 §0102.03(D)
Defendants Emily McNeeley
Date of Offense On or about March 16, 2016 to February 22, 2018

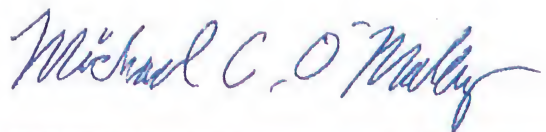
The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

, a public official or employee, did recklessly use or authorize the use of the authority or influence of office or employment to secure something of value or the promise or offer of something of value that is of such a character as to manifest a substantial and improper influence upon a public official or employee with respect to that person's duties..

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.



Foreperson of the Grand Jury



Prosecuting Attorney

Count 11 **Having An Unlawful Interest In A Public Contract - F4**
§2921.42(A)(1)

Defendants Emily McNeeley

Date of Offense On or about March 16, 2016 to February 22, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did while being a public official knowingly authorize or employ the authority or influence of her office to secure authorization of any public contract in which she, a member of her family, or any of her business associates had an interest.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Count 12 **Having An Unlawful Interest In A Public Contract - M1**
§2921.42(A)(4)

Defendants Emily McNeeley

Date of Offense On or about March 16, 2016 to February 22, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did while being a public official knowingly have an interest in the profits or benefits of a public contract entered into by or for the use of the political subdivision or governmental agency or instrumentality with which she was connected.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Count 13 **Public official or employee's unlawful influence - M1**
§0102.03(D)

Defendants Emily McNeeley

Date of Offense On or about March 16, 2016 to February 22, 2018

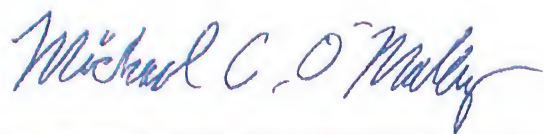
The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

, a public official or employee, did recklessly use or authorize the use of the authority or influence of office or employment to secure something of value or the promise or offer of something of value that is of such a character as to manifest a substantial and improper influence upon a public official or employee with respect to that person's duties..

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.



Foreperson of the Grand Jury



Prosecuting Attorney

Count 14 Having An Unlawful Interest In A Public Contract - F4
§2921.42(A)(1)

Defendants Emily McNeeley

Date of Offense On or about April 13, 2017 to July 27, 2017

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did while being a public official knowingly authorize or employ the authority or influence of her office to secure authorization of any public contract in which she, a member of her family, or any of her business associates had an interest.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Count 15 Having An Unlawful Interest In A Public Contract - M1
§2921.42(A)(4)

Defendants Emily McNeeley

Date of Offense On or about April 13, 2017 to July 27, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did while being a public official knowingly have an interest in the profits or benefits of a public contract entered into by or for the use of the political subdivision or governmental agency or instrumentality with which she was connected.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Count 16 Public official or employee's unlawful influence - M1
§0102.03(D)

Defendants Emily McNeeley

Date of Offense On or about April 13, 2017 to July 27, 2017

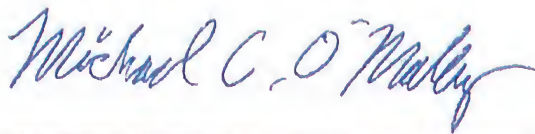
The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

, a public official or employee, did recklessly use or authorize the use of the authority or influence of office or employment to secure something of value or the promise or offer of something of value that is of such a character as to manifest a substantial and improper influence upon a public official or employee with respect to that person's duties..

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.



Foreperson of the Grand Jury



Prosecuting Attorney

Count 17 Public official or employee's unlawful influence - M1
§0102.03(B)
Defendants Emily McNeeley
Date of Offense On or about January 13, 2017

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

, a present or former public official or employee, did disclose or use, without appropriate authorization, information acquired by her in the course of her official duties that was confidential because of statutory provisions, or that was clearly designated to Emily McNeeley as confidential when the confidential designation was warranted because of the status of the proceedings or the circumstances under which the information was received and preserving its confidentiality was necessary to the proper conduct of government business.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Count 18 Tampering with Records - F3
§2913.42(A)(1)
Defendants Kenneth V. Mills
Date of Offense On or about May 22, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did, knowing he had no privilege to do so, and with purpose to defraud or knowing she was facilitating a fraud on Cuyahoga County, falsify, destroy, remove, conceal, alter, deface, or mutilate any writing, computer software, data, or record, to wit: Cuyahoga County, and the writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

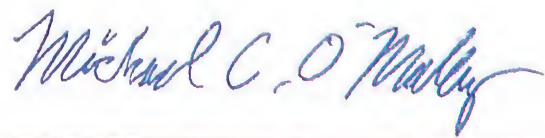
Count 19 Telecommunications Fraud - F5
§2913.05(A)
Defendants Kenneth V. Mills
Date of Offense On or about May 22, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

having devised a scheme to defraud, did knowingly disseminate, transmit, or caused to be disseminated or transmitted by means of wire, radio, satellite, telecommunication, telecommunications device, or telecommunication services any writing, data, sign, signal, picture, sound, image with purpose to execute or otherwise further the scheme to defraud.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.


Foreperson of the Grand Jury


Prosecuting Attorney

Count 20 **Falsification - M1**
 §2921.13(A)(1)
Defendants Kenneth V. Mills
Date of Offense On or about May 22, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did knowingly make a false statement, or knowingly swear or affirm the truth of a false statement previously made, when the statement was made in any official proceeding.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Count 21 **Falsification - M1**
 §2921.13(A)(3)
Defendants Kenneth V. Mills
Date of Offense On or about May 22, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did knowingly make a false statement, or knowingly swear or affirm the truth of a false statement previously made, when the statement was made with purpose to mislead a public official in performing the public official's official function.

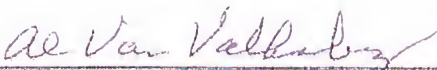
The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Count 22 **Obstructing Official Business - M2**
 §2921.31(A)
Defendants Kenneth V. Mills
Date of Offense On or about July 2, 2018

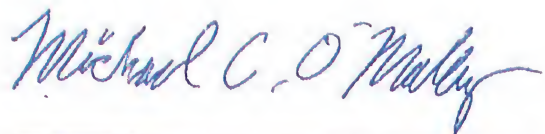
The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did, without privilege to do so and with purpose to prevent, obstruct, or delay the performance by a public official of any authorized act within the public official's official capacity, an act that hampered or impeded a public official in the performance of the public official's lawful duties.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.



Foreperson of the Grand Jury



Prosecuting Attorney

Count 23 **Falsification - M1**
 §2921.13(A)(1)
Defendants Kenneth V. Mills
Date of Offense On or about July 2, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did knowingly make a false statement, or knowingly swear or affirm the truth of a false statement previously made, when the statement was made in any official proceeding.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Count 24 **Falsification - M1**
 §2921.13(A)(3)
Defendants Kenneth V. Mills
Date of Offense On or about July 2, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did knowingly make a false statement, or knowingly swear or affirm the truth of a false statement previously made, when the statement was made with purpose to mislead a public official in performing the public official's official function.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

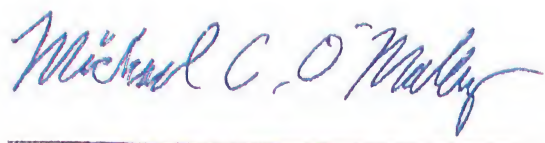
Count 25 **Obstructing Official Business - M2**
 §2921.31(A)
Defendants Kenneth V. Mills
Date of Offense On or about July 2, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did, without privilege to do so and with purpose to prevent, obstruct, or delay the performance by a public official of any authorized act within the public official's official capacity, an act that hampered or impeded a public official in the performance of the public official's lawful duties.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.


Foreperson of the Grand Jury


Prosecuting Attorney

Count 26 **Theft In Office - F3**
§2921.41(A)(1)
Defendants Douglas M. Dykes
Date of Offense On or about July 24, 2017 to September 22, 2017

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did, while being a public or party official, commit a theft offense, as defined in division (K) of section 2913.01 of the Revised Code, when the offender used the offender's office in aid of committing the offense or permitted or assented to its use in aid of committing the offense and the value of property or services stolen was seven thousand five hundred dollars or more.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Count 27 **Tampering with Records - F3**
§2913.42(A)(2)
Defendants Douglas M. Dykes
Date of Offense On or about July 24, 2017

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did, knowing he had no privilege to do so, and with purpose to defraud or knowing he was facilitating a fraud on Cuyahoga County, utter a writing or record, to wit: Revised Offer Letter of Employment to James Hay converting \$13,500 moving expenses allowance into a \$15,000 signing bonus, knowing it to have been tampered with as provided in division (A)(1) of this section and the writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

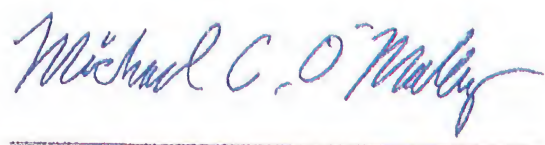
Count 28 **Obstructing Official Business - M2**
§2921.31(A)
Defendants Douglas M. Dykes
Date of Offense On or about March 2, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did, without privilege to do so and with purpose to prevent, obstruct, or delay the performance by a public official of any authorized act within the public official's official capacity, an act that hampered or impeded a public official in the performance of the public official's lawful duties.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.


Foreperson of the Grand Jury


Prosecuting Attorney


Count 29 **Falsification - MI**
 §2921.13(A)(3)
Defendants Douglas M. Dykes
Date of Offense On or about March 2, 2018

The grand jurors, on their oaths, further find that the Defendant(s) unlawfully

did knowingly make a false statement, or knowingly swear or affirm the truth of a false statement previously made, when the statement was made with purpose to mislead a public official in performing the public official's official function.

The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.


Foreperson of the Grand Jury


Prosecuting Attorney